

RULE 2
INITIATING SUPREME COURT CONSIDERATION

(a) Generally. Decisions of the commission recommending to the Supreme Court that a judge should be disciplined or retired shall be in writing. The commission shall serve on the judge a copy of its decision recommending that the Supreme Court discipline or retire the judge. Unless a matter is disposed of under rule 12, the commission shall file a copy of its decision with the Supreme Court when the commissions decision is final under the rules of the commission. The commission shall serve notice on the judge of the date the decision has been filed with the Supreme Court.

(b) Time for Filing. The written decision of the commission shall specify the time period in which the judge may file a notice of contest under rule 3. The period may not be shorter than 7 days nor longer than 28 days after the date of service on the judge of notice that the decision has been filed with the Supreme Court.

Comment

Section (a). The commissions recommendation to the Supreme Court must be in writing. The rule does not prohibit the commission from giving the judge a proposed recommendation to determine if discipline can be imposed by agreement under rule 12. The rule also accommodates a process for reconsideration by the commission before filing a recommendation with the Supreme Court.

Section (b). This section delegates to the commission the responsibility of determining how much time should be allowed for the filing of a notice of contest. The commission is in the best position to know whether the particular case requires prompt action or may be handled in a manner closely approximating the normal time limits for an appeal to the Supreme Court.

[Effective May 14, 1982]
